

REMARKS

In the above-identified Office Action the Examiner has objected to the Abstract of the Disclosure for containing a title. Applicant has provided a new Abstract of the Disclosure without the title.

Claims 19, 25 and 26 have been objected to due to informalities. Claims 19 and 26 depended from canceled claim 1 therefore those have been amended to depend from claim 29 as anticipated by the Examiner. In claim 25 a typographical error was made where the term "wall" was written as "well". This has been changed in this amendment.

Claims 12-29 have been rejected under 35 U.S.C. §103 for being unpatentable over Baugh et al. '737 in view of McNair et al. '936. The Examiner has broadly read the applicant's claims to read upon the disclosures of Baugh et al. and McNair et al. Applicant would like to point out that both Baugh et al. and McNair et al. are diverter or whipstock devices which must have a certain girth in order to create the necessary diversion of an advancing tubular into a lateral borehole. Upon interview with the Examiner, applicant's attorney discussed the potential for adding the limitation "non-diverter" to the independent claims of the application in order to make clear that what is taught and claimed in the present application is a device that is only an orientation and reference point device and does not function as a whipstock or diverter. It is noted that a whipstock is a type of diverter and therefore a non-diverter tubular device is by definition distinguished from both a diverter and a whipstock. Because the device as claimed in the present application does not have duties such as a whipstock or a diverter would have, the wall thickness of the device can be substantially thinner thereby allowing a much larger cross-sectional area of the wellbore to be open. During the interview the Examiner indicated that he understood the distinction applicant's attorney was making and suggested that an after final response be presented to him with the amendment discussed so that he could then consider the language of the amendment.

The multilateral reference point as disclosed in this application, which has function as a reference point and orientation device, is beneficial to downhole industries because it is inexpensive, easy to place, provides a very small restriction of cross-sectional inside dimension of the wellbore and therefore can be placed in multiple locations to provide an indication of where in the well a tool has advanced and to ensure proper orientation of a tool at any of those locations. Because of the thinness of the tool and therefore lack of wellbore cross-sectional

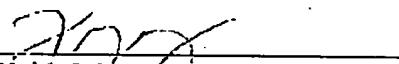
dimension restriction, more of these device may be placed in the wellbore than other tools which could have been used to determine location. Knowing the location of your advancing tools in a wellbore is extremely beneficial to the art because it reduces rig time which often amounts to hundreds of thousands of dollars over several days of use.

In the event the Examiner has any queries regarding the instantly submitted Amendment, Applicant's attorney respectfully requests the courtesy of a telephone conference to discuss any matters in need of attention.

In the event that there are any fees due with respect to this Response, Applicants' attorney respectfully requests that such fees be withdrawn from Deposit Account No. 02-0429 maintained by Applicants' assignee.

Respectfully submitted,

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